



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte M. ASHRAF IMAM, BHAKTA B. RATH and TEDDY M. KELLER

Application No. 08/845,897

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was returned to the Board of Patent Appeals and Interferences (BPAI) on August 3, 2004 after being remanded on June 26, 2003. A review of the application has revealed that the application is not ready for docketing as a new appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

The Examiner's Answer mailed September 10, 2003, lacks the required initials or signature of one of the conference participants. The Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., Rev. 2, 2004) states in part:

... On the examiner's answer, below the primary examiner's signature, the word "Conferee" should be included, followed by the typed or printed names of the other two appeal conference participants. **These two appeal conference participants must place their initials next to their name.** This will make the record clear that an appeal conference has been held. (emphasis added)

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Accordingly, it is

ORDERED that the application is returned to the examiner

- (1) to have the missing conferee appropriately sign or initial the answer as required above,
- (2) to provide notification to appellants in writing that the appeal conference was held, and
- (3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



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